

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
APR 14 2008

CLERK

United States of America,

Plaintiff,

4:97CR40032-001

v.

GARNISHEE ORDER

Richard Lee Ghan,

Defendant,

and

Bibbs Trucking,
Sioux Falls, SD,
and its successors or assigns,

Garnishee.

A Writ of Garnishment, directed to Garnishee, has been duly issued and served upon the Garnishee. Pursuant to the Writ of Garnishment, the Garnishee filed an Answer on March 20, 2008, stating that at the time of the service of the Writ they had, in their possession or under their control, personal property belonging to and due defendant, and that garnishee was indebted to defendant in the sum of \$713.87 for the defendant's weekly net salary.

On March 17, 2008, the defendant was notified of the right to a hearing and has not requested a hearing to determine exempt property.

Pursuant to 28 U.S.C. §3205(c)(7) and 15 U.S.C. §1673(a)(1),

IT IS ORDERED that Garnishee, and its successors or assigns, pay to the plaintiff

twenty-five percent (25%) of the defendant's weekly net salary which it has previously withheld pursuant to the Writ.

IT IS FURTHER ORDERED that Garnishee, and its successors or assigns, pay to the plaintiff twenty-five percent (25%) of the defendant's future weekly net salary. The amount to be paid to the plaintiff at defendant's current salary level would be a weekly sum of \$178.46, said amount to be increased or decreased by the garnishee in equal proportion to any increase or decrease in the defendant's salary without further order of this Court. Payments should be made payable to the U.S. Clerk of Court and mailed to them at 400 South Phillips, Room 128, Sioux Falls, South Dakota 57104-6851.

IT IS FURTHER ORDERED that the garnishee, and its successors or assigns, continue said payments until the debt to the plaintiff is paid in full or until the garnishee no longer has custody, possession or control of any property belonging to the debtor or until further order of this Court.

DATED: April 14, 2008

BY THE COURT:


LAWRENCE L. PIERSOL
CHIEF U.S. DISTRICT COURT JUDGE

ATTEST:

JOSEPH HAAS, Clerk

By: Shelly Margulies
DEPUTY CLERK

(SEAL OF THE COURT)